



**AMERIPEN**  
**American Institute for Packaging and the Environment**

**Testimony**  
**in Opposition to**  
**Connecticut House Bill 6814**  
**Coding System for the Designation of Recyclable and Compostable Products**

**Connecticut General Assembly Joint Environment Committee**  
**March 10, 2023**

Senator Lopes, Representative Gresko and members of the Connecticut Joint Environment Committee.

AMERIPEN – the American Institute for Packaging and the Environment – appreciates the opportunity to provide written testimony on House Bill 6814, introduced by the Committee, that seeks to establish a Connecticut-specific “coding” (labeling) system for the designation of some compostable and recyclable packaging manufactured in the state. AMERIPEN supports clear and consistent labeling for all packaging composting and recycling, and we understand that proponents of the bill are likely seeking to reduce consumer confusion and lower contamination within the waste stream. While we appreciate the likely intent of HB 6814, we cannot support it in its current form. We would welcome the opportunity to work with the Committee and other stakeholders to address labeling and contamination issues in a more feasible way.

AMERIPEN is a coalition of stakeholders dedicated to improving packaging and the environment. We are the only material neutral packaging association in the United States. Our membership represents the entire packaging supply chain, including materials suppliers, packaging producers, consumer packaged goods companies and end-of-life materials managers. We focus on science and data to define and support our public policy positions and our comments are based on this rigorous research rooted in our commitment to achieve sustainable packaging, and effective and efficient recycling policies. We have several member companies with a presence in Connecticut, and many more who import packaging materials and products into the state. The packaging industry in Connecticut supports nearly 13,000 jobs and accounts for more than \$4 billion in total economic output.

Packaging plays a vital role in Connecticut, ensuring the quality of consumer goods as they are manufactured, shipped, stored and consumed, protecting the health and safety of Connecticut residents who consume, use and handle those products. Packaging has value and none of it belongs in landfills, roadsides or waterways. We need to recover it to be recycled and reused, and no one knows better how to do that than the AMERIPEN members who design, supply, produce, distribute, collect and process it. They are driving innovation, designing for better environmental performance to boost recycling and evolve the recycling infrastructure.

AMERIPEN supports policy solutions, including packaging producer responsibility, that are:

- **Results Based:** Designed to achieve the recycling and recovery results needed to create a circular economy.
- **Effective and Efficient:** Focused on best practices and solutions that spur positive behaviors, increase packaging recovery, recapture material values and limit administrative costs.
- **Equitable and Fair:** Focused on all material types and funded by shared cost allocations that are scaled to make the system work and perceived as fair among all contributors and stakeholders.

HB 6814 does not meet these principles and we are therefore opposed to it as currently drafted. We support uniform labeling standards as essential to the free flow of interstate commerce and support the adoption of the U.S. Federal Trade Commission (FTC) Green Guides by states in conjunction with existing state truth-in-advertising statutes. We believe HB 6814, as currently drafted, will confuse consumers. We also believe it will be very difficult, if not impossible, for manufacturers to comply with the “coding” system proposed in HB 6814 given that this system will create conflict across jurisdictions because manufacturers do not distribute packaging and products solely to Connecticut. Below are more specific concerns we have with the bill.

HB 6814 would require the Connecticut Commissioner of Energy and Environmental Protection to establish a standardized coding system for every item of plastic packaging, plastic bag, container-lined package and plastic-coated packaging product manufactured in the state. This coding system would require manufacturers to use clear symbols for such products and packaging, including use of a green "R" for recyclable, a green "C" for compostable and an interdictory circle for packaging that can neither be recycled or composted.

While the intention of HB 6814 may be to clarify for consumers the compostability or recyclability of certain packaging, establishment of a new coding system requiring a green "R" or green "C" will be completely unfamiliar and meaningless to those consumers – leading to more confusion rather than less. Furthermore, the material-specific nature of the proposed coding system under HB 6814 – in this case applying only to plastic packaging – will further exacerbate that consumer confusion. Should a consumer presume that packaging without a green "R" or green "C" or an interdictory circle is compostable or recyclable within their community or throughout the state? That could depend on several factors, and so perhaps not. Forcing this extra layer of consideration upon consumers seeking to “do the right thing” and compost or recycle packaging – no matter the material type – doesn’t make sense. This could lead to more, not less, compostable and recyclable materials ending up in landfills due to consumer confusion because of perceived or real inconsistencies in Connecticut’s composting and recycling systems.

Establishment of state-specific, rather than national, criteria pertaining to labeling will lead to unintended consequences in both the usage of composting and recycling systems in Connecticut, as well as the feasibility of compliance for manufacturers of the covered packaging. HB 6814, as currently drafted, will force packaging manufacturers to create and use Connecticut-specific labeling for their packaging if they want to sell products in Connecticut and remain in compliance with labeling requirements in neighboring states. This is not realistic, especially given Connecticut’s geography, and does not reflect the free flow of goods through interstate commerce. Packaging manufacturers do not manufacture products solely for distribution in Connecticut, and segregating products “coded” (labeled) specifically for Connecticut, given the state’s central location in commerce in the Northeast, is not feasible. **Additionally, this will have the practical effect of less material being recycled or composted – as existing labels will be removed out of an abundance of caution and consumers will throw away more packaging material.**

**In conclusion**, AMERIPEN supports uniformity of labeling standards at the national level for clarity to consumers, composters and recyclers and to enable the free flow of interstate commerce. While HB 6814 may share a similar goal of reducing consumer confusion and system contamination, the state-specific nature of the proposed “coding” system will result in negative consequences for Connecticut’s composting and recycling systems and will interfere with manufacturers’ ability to comply and effectively operate in the Northeast. We therefore encourage the Committee not to pass HB 6814 as currently written.

We would welcome the opportunity to collaborate with this Committee and other stakeholders on legislative solutions to reduce consumer confusion and increase packaging composting and recycling in Connecticut in a responsible and sensible way. Please feel free to contact Dan Felton, Executive Director of AMERIPEN at [danf@ameripen.org](mailto:danf@ameripen.org), or Andy Hackman at [ahackman@serlinhaley.com](mailto:ahackman@serlinhaley.com) for any questions or for stakeholder discussions on this important issue. Thank you for your consideration of our comments.